IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.1016 of 2005

Ashok Jaigonda Patil .. Appellant

V/s

Nemu Ratnappa Khot and Ors..Respondents

Shri N.T.Patil for Appellant

Shri Amit Borkar for Respondent no.5

CORAM:S.R.SATHE,J.

DATED:6th Nov. 2006

P.C.:-

1. Heard the learned Advocate for the appellant original plaintiff.

2. Suit for possession based on the title was dismissed by the trial Court and the said decision has been confirmed by the first Appellate Court.

3. It is argued before me that courts below have failed to frame proper issues and only issue with regard partition was framed. From the perusal of the papers and pleadings it is very clear that the main and material point involved was with regard to title and both the

courts below have concurrently held that plaintiff has failed to prove his title to the suit property. There is no error of law. No substantial question of law is involved in the matter. Second appeal is dismissed in limine.

(S.R.SATHE,J.)